DOCUMENT RESUME

ED 245 363 EA 016 911

AUTHOR	Davis, I. Lorraine, Comp.
TITLE	Child Sexual Assault and Abuse: Guidelines for Schools. Bulletin No. 4360.
INSTITUTION	Wisconsin State Dept. of Public Instruction, Madison. Div. for Handicapped Children.
REPORT NO	WSDPI-Bull-4360
PUB DATE	May 84
NOTE	47p.; Portions of text may reproduce poorly due to small print.
PUB TYPE	Guides - Non-Classroom Use (055)
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	*Child Abuse; Community Resources; Cooperation; Elementary Secondary Education; Guidelines; Information Networks; *Legal Responsibility; School Community Relationship; School Personnel; *Sexual Abuse; Teamwork; Victims of Crime
IDENTIFIERS	Wisconsin

ABSTRACT

Sexual abuse of children within the school environment is far more pervasive than educators realize, with studies estimating up to 500,000 annual occurrences. The Wisconsin Child Sexual Assault and Abuse Guidelines should help school staff develop policy, set up cooperative interventions with community resources, and become familiar with abuse laws and with resources for training personnel. Section 1 notes Wisconsin's law mandating educator participation in abuse detection, stresses the role of professional ethics, and offers 13 policy suggestions. The second section defines abuse and outlines procedures for its handling on school premises for two age groups, abuse beyond premises, and abuse by school staff. Section 3 lists local, state and regional, and national resources and describes services of already established community abuse teams. Appendixes A through I include statutes, abuse indicators, interviewing techniques, curricula, prevention programs, training resources, abuse bibliography, films, and Wisconsin districts with prevention projects. (KS)

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CHILD SEXUAL ASSAULT AND ABUSE:
Guidelines for Schools

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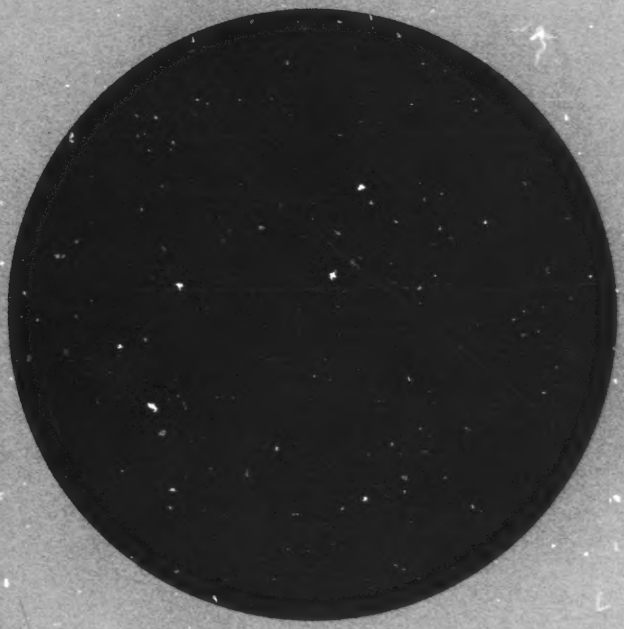

EA 016 911

Wisconsin Department of Public Instruction / Herbert J. Grover, State Superintendent

CHILD SEXUAL ASSAULT AND ABUSE:

Guidelines for Schools

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May 1984

Division for Handicapped Children and Pupil Services
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Bulletin No. 4360

This guide was developed by the Wisconsin Department of Public Instruction in response to growing concerns expressed by the department, the Wisconsin Legislative Council's Special Committee on Sexual Assault and Abuse, and local school districts. The guidelines provide resources for inservice training as well as suggestions for curricula, for prevention programs, and for interviewing techniques. It is hoped the guide will help schools to deal adequately and appropriately with child sexual assault and abuse.

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This publication is available for $2.00 from:

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CHILD SEXUAL ASSAULT AND ABUSE

Guidelines for Schools

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STATEMENT OF PURPOSE

"Child Sexual Assault and Abuse: Guidelines for Schools" is intended for use by schools in dealing with sexual abuse of children and its occurrence within the school setting; it deals as well with the suspicion of sexual abuse outside the school setting.

Many school districts already have a policy on child abuse and neglect; this should be dovetailed with policy relating to child sexual abuse. Highlighting sexual abuse now is the result of an increased awareness of the incidence rates and the special problems created for those subjected to such abuse. Moreover, there are different issues surrounding child sexual abuse, and these issues must be addressed in different manners.

This document cannot cover every conceivable situation that might occur in any given school building on any given day; it does have its limitations. Questions of legal interpretation will occur; procedural questions will be asked; individual community questions will have to be addressed. The aims are to provide a starting point and serve as a catalyst for Wisconsin schools and to apprise schools of the resources (e.g., community agencies, people, training and audio-visual) available to assist them in dealing adequately and appropriately with child sexual assault and abuse.

These guidelines are intended for use in the following ways:

1. Developing school policy on child sexual assault and abuse;
2. Becoming familiar with laws and procedures regarding child sexual assault and abuse;
3. Setting up cooperative interventions with appropriate community resources;
4. Developing procedures in dealing with child sexual assault and abuse; and
5. Becoming aware of resources available for training school personnel to deal with child sexual assault and abuse.

INTRODUCTION

The problem of child sexual assault and abuse is far more pervasive than most of us care to admit. Deep concern over this limited awareness on the part of educators and administrators has been voiced by the Wisconsin state legislature, committees on sexual assault, women's organizations, and parents. Additional waves of concern have come from local school personnel who are increasingly faced with incidents of child sexual assault and abuse and find themselves unprepared to intervene effectively on behalf of the sexually abused child.

Sexual abuse is a form of child abuse. It occurs when family members, friends, strangers, or others in a position of power or control over the child have sexual contact with or sexually exploit the child. Sexual abuse can be touching and nontouching acts. Sexual abuse of children is a forbidden and disagreeable topic. It is a very uncomfortable and painful subject for most people to discuss or acknowledge. When faced with such a frightening, widespread, and difficult problem, there is a tendency to minimize or discount it. This occurs at four different levels:

Nonexistence- "There isn't much of a problem!"
Insignificance- "The consequences are very small."
Insolubility- "Even if there is a problem, it can't be solved!"
Helplessness- "I'm only one person; what can I do?"

Child sexual assault/abuse is the most complex form of child abuse, with age factor, power, and exploitation as some of the sensitive elements that need to be taken into account. Sexual assault and abuse can be defined as any of the following:

- sexual touching, activity, or behavior that may be emotionally or physically harmful to a child;

- sexual activity or behavior that exploits a child in order to meet another person's sexual or emotional needs; or

- sexual activity to which the child cannot reasonably choose to consent or refuse owing to age, understanding, or relationship to the offender.

This is a lay definition. The courts and protective services are using the legal definitions in Chapter 940 and Chapter 944 (Criminal Code, Wisconsin Statutes) in determining whether abuse did, in fact, occur.

Sexual assault/abuse involves physical contact and may or may not include penetration. Some kinds of abuse have no direct physical contact, such as requiring a child to look at the genitals of an older child or adult or requiring a child to expose one's self. Sexual abuse includes unwanted touching, fondling, oral-genital contact, intercourse, sexual threats, innuendos and comments about a child's body, and forcing a child to touch adult body parts in a sexual manner. Sexual abuse may involve a single incident, but it is more likely to occur as many incidents over a prolonged time period.

A PROBLEM EXISTS

Various national studies estimate that up to 500,000 children are sexually abused in this country every year.

> 5 children, out of a given classroom of 25, have been, or will be sexually abused by the time they finish high school. (West 1979, p. 1)

Children under the age of four years comprise 9.1 percent of the victims of substantiated sexual abuse, while children between the ages of 4 and 10 represent over 34 percent of the cases. (Wisconsin Department of Health and Social Services, "Annual Report to the Governor and Legislature on the Wisconsin Child Abuse and Neglect Act," Madison: DHSS, August 1, 1983, p. 9. Referred to in the future as the DHSS Report)

> 1 in 4 females and 1 in 7 males will experience some form of sexual abuse prior to age 18. (National Center on Child Abuse and Neglect Reports 1967)

Children from any background may be sexually abused. Sexual abuse is not restricted to any race, social class, religion, or geographic area.

> In Wisconsin, reports of child sexual abuse have increased from 955 cases in 1980 to 1,471 in 1982; a 54 percent increase in two years. (DHSS Report, p. 9)

Ninety-five percent of the reported offenders are male, whether the victim is female or male. Offenders have ranged in age from children (8-10 years of age) to the elderly, with most under age 35.

> 100 percent of the children reported to the agency as victims knew the person who assaulted them. (Dane County Sheriff's Department reports 1982)

While the number of sexual abuse reports is alarming, studies show that the actual incidence is substantially higher than the reports indicate.[1]

THE PROBLEM IS SIGNIFICANT

Donald F. Kline, Utah State University special education professor states, "Abused children are found to be significantly different from nonabused children in academic achievement, placement in classes for the emotionally disturbed and for the educable mentally retarded." (Kline and Christianson 1977)

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1. Wisconsin Department of Health and Social Services, Intra-family Sexual Abuse in Wisconsin. A Study of Prevalence, System Response, and Needs (Madison: DHSS Division of Policy and Budget, 1981).

The following statistics were compiled by Ann Ranfranz, Director of the Sexual Assault Counseling Unit, Milwaukee County District Attorney's Office:

- One characteristic of the incest victim is destructive behavior--in other words, suicide attempts, running away, truancy, sexual acting out, and so forth.
- Runaway Newsletter (1975) surveyed runaways and listed sexual abuse as one of the primary reasons why children choose to leave home.
- MS. Magazine (1977) quoted a therapist who treated 500 cases of adolescent chemical dependency and found that 70 percent of them had experienced some form of family sexual abuse.
- A study of juvenile prostitution (Enablers 1978) revealed that more than one-third of these children had been sexually abused by members of their families.
- James (1975) reported that more than 50 percent of the female children placed in one reformatory in Maine had been molested prior to their commitment.
- A study of 13 to 15-year-old prostitutes in Minneapolis found that 90 percent of these girls had their first sexual experience with a person from their home.

THE PROBLEM IS SOLVABLE

The Wisconsin legislature has set up a Children's Trust Fund, which will center its activities on the prevention of child abuse.

A sampling of prevention and intervention programs in Wisconsin include:

- OASIS Project
  Parental Stress Center (Madison)
- Prevention of Child Molestation/Child Abuse Curriculum Guide
  (Port Washington School District)
- Protective Behaviors: Anti-victim Training for Children
  (Madison Metropolitan School District)
- Protective Behaviors Curriculum: Sexual Abuse-
  It Could Happen To Our Children, Too
  (Cooperative Educational Service Agency #4)
- Sexual Abuse Prevention Programs
  (Hartford School District, Joint #1;
  Cooperative Educational Service Agency #2;
  Oregon Public Schools;
  Cooperative Educational Service Agency #7)

- Sexual Assault Treatment Center,
  (Family Hospital, Milwaukee)

- Sexual Assault Counseling Unit
  (Milwaukee County District Attorney's Office)

- Community Program for Treatment of Incestuous Families
  (Washington County)

I CAN HELP SOLVE THE PROBLEM

The following is only a partial list of ways in which public school staff can become involved outside of the school setting:

- Become aware of programs available to help children learn to decrease the risk of becoming victims

- Become aware of existing resources and networking

- Offer legislative support as an individual or as part of a group

- Join a Neighborhood Watch Program; and

- Be an "approachable adult" - an adult who considers it a crisis when a child says, "I don't feel safe," and is willing to take action on the child's word alone.

Schools have a unique role in the area of prevention and intervention. School personnel see children, observe their appearance and behavior, and interact with them daily. It is the only institution in society that has direct access to children. Next to the family, the school is generally considered the most important influence on a child's life.

"Primary prevention/education promotes healthy male/female relationships, re-examines some of our traditional socialization with its damaging consequences, and re-distributes rights and responsibilities for behavior in a more equal way. This would be one of the most beneficial things our schools could give to our children."[2] In some cases, where the family unit is having difficulty protecting a child or itself threatens the child's welfare, schools can play an invaluable role in support of both child and family. The school must play an important role in the follow-up of individual cases by providing a supportive environment for the child and coordinating with other agencies dealing with the family.

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2. Ann Ranfranz, "In My Opinion: Sexual Assault Thrives on Myths," Milwaukee Journal, December 14, 1981.

SECTION 1: DEVELOPING A SCHOOL BOARD POLICY

Wisconsin law mandates that educators assist in child sexual assault and abuse detection. The Child Abuse and Neglect Act (Section 48.981 of the Children's Code of the Wisconsin statutes) specifies that all school personnel and administrators are mandated reporters.

Professional ethics is at the heart of the problem. Educators have a keen sense of responsibility for children and must, therefore, be committed to upholding the health, safety, and welfare of each individual child. This sense of personal responsibility, coupled with the legal mandate, makes a strong case for educator involvement.

Wisconsin school districts have increasingly expressed a growing concern in developing policies, procedures, and appropriate response systems for dealing with child sexual assault and abuse. In response to this concern the DPI offers several suggestions and options.

An Education Commission of the States' (ECS) booklet entitled "Education Policies and Practices Regarding CA/N and Recommendations for Policy Development" suggests procedures for policy writing. The first and strongest recommendation is that every school system adopt and issue a sexual assault and abuse policy. An effective policy should inform school personnel of their legal obligation to report as well as the immunities in reporting.

The ECS booklet provides the following supplementary policy suggestions:

1. A brief rationale for involving school personnel in reporting
2. The name and appropriate section numbers of the state reporting statute
3. Who specifically is mandated to report and who may report
4. Reportable conditions as defined by state law
5. The person or agency to receive reports
6. The information required of the reporter
7. Expected professional conduct by school employees
8. The exact language of the law regarding child sexual assault and abuse (as defined in Section 940.225 of the Criminal Code)
9. The method by which school personnel are to report and the time in which to report
10. Whether there is immunity from civil liability and criminal penalty for those who report or participate in an investigation or judicial proceeding, and whether there is immunity for "good faith" reporting
11. Penalty for failure to report (as established by state law)
12. Action taken by a school board for failure to report
13. Any provisions of the law regarding the confidentiality of records pertaining to reports of suspected abuse or neglect[1]

It will also be important for the school district to determine how records of reported cases will be kept (written, confidential, permanent).

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1. Education Commission of the States, "Education Policies and Practices Regarding CA/N and Recommendations for Policy Development," Report No. 85 (Denver: ECS, April 1976), pp. 14-16.

In the policy, a school district can specify its role in multidisciplinary cooperation, professional training, public awareness, and programs of prevention. It may also be valuable to include some means of evaluation for the sexual assault and abuse policy. By spelling out realistic expectations and some means to evaluate the policy's goals regularly, more effective programs can be ensured.

The final suggestion is that for school policy to be truly useful and effective, it must be widely disseminated. Copies should be distributed to all school personnel, parents, students, and community people. This can be done through school inservices offered to all school personnel, parents, and students. The media (newsletters, newspapers, radio, and so forth) may also be utilized. The community needs to be informed about child sexual abuse both to broaden the base of potential reporters and to ensure public awareness of available help for people with abusive tendencies and their families.

SECTION 2: APPROPRIATE RESPONSE SYSTEMS

Students experience sexual abuse both inside and outside of the school setting. When school personnel suspect sexual abuse is occurring, either through a child's report or through personal observation, the appropriate response systems should be utilized.

Definition: Sexual abuse is a form of child abuse. It occurs when family members, friends, strangers, or others in a position of power or control over the child have sexual contact or exploit the child. Sexual abuse can be touching and/or nontouching acts.[1]

I. CHILD SEXUAL ABUSE ON SCHOOL PREMISES - AGES 5 to 11

A child between the ages of 5 and 11 (grades K-6) in your school has been sexually assaulted or abused by another student on school premises. In this situation the question is not if it happened, but how best to handle the situation.

A. Procedure
   1. A report and referral of the assault or abuse is simultaneously made to the individual in school designated to handle child abuse and neglect and to the local county social service agency.
   2. The local county social or human services agency is mandated by statute to receive such referrals for investigation.[2]
   3. If obstacles prevent contact with the county agency, call your local law enforcement agency. In immediate assault situations call both.
   4. Contact may be made with the local rape crisis center.

B. Statements from eyewitnesses should be obtained. They should include:
   1. Date, time, and location of the incident
   2. A detailed account of what was or was not observed
   3. Signature

C. Notify the victim's parents and the perpetrator's parents.
   1. Immediate notification should be made by phone.
   2. Follow with written notification.

D. Talk with the victim, possibly through an outside agency.
   1. The interviewer should be a person of the same sex whom the child knows and trusts.
   2. The interview should take place in a private but comfortable setting.

E. Talk with the perpetrator, possibly through an outside agency.

F. Set up appointments with both parties to talk about the incident.
   1. A separate time should be set to interview the child victim and parents.
   2. A separate time should be set to interview the child assailant and parents.

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1. Wisconsin statutes state that persons under the age of 16 are incapable of consenting to sexual activity.

2. It is not the school's responsibility to conduct an investigation.

G. If everyone in school knows about the incident and is concerned, classroom intervention and discussion should occur as soon as possible.

1. Keep in mind with whom students can talk and what support systems exist within the school building and the community (for example, relatives, teachers, or friends).
2. Utilize safety precautions. Other children need to know that teachers and other school personnel are concerned for their welfare and are ready to discuss means of safety.

II. CHILD SEXUAL ABUSE ON SCHOOL PREMISES - AGES 12 to 18

A child between the ages of 12 and 18 (grades 7-12) in your school has been sexually assaulted or abused by another student on school premises. The question here is not if it happened but what circumstances surrounded the incident and how the situation can best be handled.

A. Procedure

1. A report and referral of the assault or abuse is simultaneously made to the individual in school designated to handle child abuse and neglect and to the local county social service agency.
2. The local county social or human services agency is mandated by statute to receive such referrals for investigation.[3]
3. If obstacles prevent contact with the county agency, call your local law enforcement agency.
4. Contact may be made with the local rape crisis center.

B. Notify the victim's parents and the perpetrator's parents.

1. Immediate notification should be made by phone.
2. Follow with written notification.

C. Set up separate appointments with both the victim, the assailant, and their respective parents to come in and talk with administration; it may be more appropriate to have another agency do this.

III. CHILD SEXUAL ABUSE OUTSIDE THE SCHOOL SYSTEM

When it appears that a child is being sexually abused outside of the school system, the following procedures are required:

A. Any school employe who suspects that a child has been sexually abused must simultaneously report this immediately to the school administrator or the designee and the county social service agency.

B. Any principal who receives such a report should immediately contact the Director of Pupil Services or the designee (school nurse, school social worker, school psychologist, or school counselor).

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3. It is <u>not</u> the school's responsibility to conduct an investigation.

C. The principal, the school social worker (or other pupil services professional), and the person who reported the abuse should simultaneously contact the Protective Services Unit of the Social Services Department and the police department. No one within the school system can censor such a report. The report must be made to the county social service agency within one working day after the school employe notifies the school administration.

D. The principal and pupil services professional will provide the following information: name, address, age of student, nature and extent of injuries and condition, and any other information that might help establish the cause of the injuries or condition.[4]

E. Within 48 hours, the Director of Pupil Services and the reporter will submit a written report to the Social Services Department.

F. All appropriate school personnel shall be available to provide supportive services when this is part of a treatment plan. An interagency team approach should be utilized; the team may include representatives from the school, rape crisis center, county social services, counseling center, and other community resources.

G. The above procedure does not relieve the reporter of responsibility in the event that the designated person fails to follow-through in making a report of the suspected abuse to the county social service agency.

IV. CHILD SEXUAL ABUSE BY SCHOOL STAFF

When it appears that a child has been sexually assaulted or abused by a staff person, the following procedure should be followed:

A. Such behavior constitutes criminal conduct; notify the appropriate authorities and follow through.[5]

B. Consult with the union representative about discipline procedures set up by the board of education and/or specified by the contract.

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4 Increasingly schools are making it a routine practice to notify parents when a report of suspected child abuse and neglect has been made by a staff member. The notification is firm but kind. It states the legal authority for the report and casts no blame. Parents are told to expect a visit from Child Protection Services or another investigating agency and are offered the school's support and concern.

5 See Appendix A: Legal References.

SECTION 3: COMMUNITY NETWORKING AND LINKAGES

Child sexual assault and abuse is a community problem. Disbelief and horror are major obstacles and must be addressed. Unacknowledged resistance will slow progress despite the best professional intentions. There is considerable pain involved in making these situations visible. The more effectively a community mobilizes and coordinates its resources, the more effective the response. In child sexual assault and abuse it is essential for agencies to trust each other, communicate, and work together. From the identification of the problem, through the legal system, to treatment and follow-up, an interwoven network of specialized resources must be available and responsive. An effective community response network will operate more quickly and effectively than individual agencies responding independently. This response calls for a high awareness level of a problem that until recently has been hidden and taboo.

Each agency involved in child sexual assault and abuse needs to have a clear understanding of the problem's extent and of an effective internal response system. This is only the first step. The second step is to increase the communications partnership of these separate systems; they can then deal effectively with the total problem on a communitywide basis. Many areas have developed community child abuse teams. These teams are specially trained, multidisciplinary in membership, and function as a communication and coordination network for the community. These teams provide many of the following services:

- review and assessment of community needs and resources
- advocacy for development of needed services
- assistance to child welfare agencies in the development of effective local plans
- development of public awareness for the child abuse problem
- assistance in the identification and development of interagency relationships
- assistance to education organizations and individuals to identify and report child sexual assault and abuse
- support for legislation
- support and help in publicizing innovative efforts
- encouragement of other "issues" committees (for example, sex equity) to include the "elimination of child sexual assault and abuse" in their program goals

These teams, like many interagency bodies, have clearly delineated goals and a written set of operating procedures, and they meet on a regular basis. The teams are usually composed of representatives from social service, health, mental health, and law enforcement agencies; the legal profession; citizenry; government; and, of course, education.

If no team presently exists, someone should call a meeting to organize one now. Any interested professional can do this. The local public school should designate a person to serve as a representative on the community child abuse team. The school's representative will likely have a primary responsibility in the school's efforts, high interest, and an awareness of the issues. This person will become the communicator between the community-based team and the schools. In many instances it will be a school principal, school social worker, guidance counselor, school psychologist, or teacher. The liaison designation should be made clear and included as part of the person's job responsibilities. In order to ensure continuity, the community child abuse team should be able to count on consistent attendance by the same school representative; continuity of membership builds cohesiveness.

The school's liaison should report regularly to the school staff concerning community child abuse team activities. Communication regarding the various groups' roles and functions should be an on-going, two-way process. Staff should be made aware of the progress of individual cases and the team's general activities. Gaps in services can be identified and recommendations for new services can be referred back to the community team.

It is vital that each agency clarify its role within the community's broader responsibilities and train its staff to deal effectively with child sexual abuse issues.

While existing resources vary from one community to the next, many communities contain at least some of the key resources.

LOCAL RESOURCES

County Departments of Social Services	The mandated agencies for investigation of child abuse and neglect reports and for providing services to victims and their families, assessment, and possible referral for legal action
City Police Departments	Investigate child abuse and neglect
County Sheriff's Departments	Investigate child abuse and neglect
Rape Crisis Centers	Information, referral, counseling, and advocacy
Parents Anonymous and Similar Groups	Information, referral, counseling, and advocacy
Mental Health Agencies	Information, referral, counseling
District Attorney's Office	Referral, counseling, and prosecution
Hospitals	Referral, counseling, and treatment
Family Service Agencies	Referral and counseling

STATE AND REGIONAL RESOURCES

Central Office Office for Children, Youth and Families Division of Community Services Department of Health and Social Services 1 West Wilson Street Madison, WI 53702 (608/266-3435)	Statewide training, assistance in setting up curriculum, and consultation to schools

Regional Offices
Division of Community Services
Department of Health and Social Services

Provide consultation and training to public and private human services agencies and mandated reporters; coordinate multi-disciplinary efforts within the region

(Addresses for Regional Offices may be obtained by calling or writing the Central Office, Division of Community Services, Department of Health and Social Services)

Region V Resource Center on Children and Youth Services
School of Social Welfare
University of Wisconsin-Milwaukee
P.O. Box 786
Milwaukee, WI 53201

Provides consultation to public and private human services agencies, community groups, and mandated reporters; coordinates multi-disciplinary efforts within the region; provides loan materials (printed and other media)

NATIONAL RESOURCES

American Humane Association
Child Protection
P.O. Box 1266
Denver, CO 80201-1266

National Center on Child Abuse and Neglect
Administration for Children, Youth and Families
U.S. Department of Health and Human Services
P.O. Box 1182
Washington, DC 20013

National Committee for Prevention of Child Abuse
332 South Michigan Avenue
Chicago, IL 60604

National Legal Resource Center for Child Advocacy and Protection
American Bar Association
1800 M Street, N.W. S-200
Washington, DC 20036

National Center for the Prevention and Treatment of Child Abuse and Neglect
University of Colorado Medical Center
1205 Oneida
Denver, CO 80220

Education Commission of the States
Child Abuse and Neglect Project
300 Lincoln Tower
1860 Lincoln Street
Denver, CO 80295

The Council for Exceptional Children
1920 Association Drive
Reston, VA 22091

THIS SPACE PROVIDED TO WRITE IN YOUR OWN CONTACT PEOPLE AND PHONE NUMBERS OF LOCAL RESOURCES.

NAME OF AGENCY	CONTACT PERSON	ADDRESS	PHONE

APPENDIX A: LEGAL REFERENCES

CHAPTER 940

CRIMES AGAINST LIFE AND BODILY SECURITY

LIFE.

940.01 First-degree murder.
940.02 Second-degree murder.
940.04 Abortion.
940.05 Manslaughter.
940.06 Homicide by reckless conduct.
940.07 Homicide resulting from negligent control of vicious animal.
940.08 Homicide by negligent use of vehicle or weapon.
940.09 Homicide by intoxicated user of vehicle or firearm.
940.12 Assisting suicide.

BODILY SECURITY.

940.19 Battery; aggravated battery.
940.20 Battery: special circumstances.
940.201 Abuse of children.
940.203 Sexual exploitation of children.
940.21 Mayhem.
940.225 Sexual assault.
940.23 Injury by conduct regardless of life.
940.24 Injury by negligent use of weapon.
940.25 Injury by intoxicated use of a vehicle.
940.28 Abandonment of young child.
940.29 Abuse of residents of facilities.
940.30 False imprisonment.
940.305 Taking hostages.
940.31 Kidnapping.
940.32 Abduction.
940.33 Violation of certain restraining orders or injunctions.
940.41 Definitions.
940.42 Intimidation of witnesses; misdemeanor.
940.43 Intimidation of witnesses; felony.
940.44 Intimidation of victims; misdemeanor.
940.45 Intimidation of victims; felony.
940.46 Attempt prosecuted as completed act.
940.47 Court orders.
940.48 Violation of court orders.
940.49 Pretrial release.

940.201 Abuse of children. Whoever tortures a child or subjects a child to cruel maltreatment, including, but not limited, to severe bruising, lacerations, fractured bones, burns, internal injuries or any injury constituting great bodily harm under s. 939.22 (14), is guilty of a Class E felony. In this section, "child" means a person under 16 years of age.

History: 1977 c. 173, 355.

Section is not unconstitutionally vague or overly broad. State v. Killory, 73 W (2d) 400, 243 NW (2d) 475.

Physical injury is not an element of crime of cruel maltreatment. State v. Campbell, 102 W (2d) 243, 306 NW (2d) 272 (Ct. App. 1981).

940.203 Sexual exploitation of children. **(1)** No person may knowingly employ, use, persuade, induce, entice or coerce any child to engage in sexually explicit conduct for the purpose of photographing, filming, videotaping, recording the sounds of or displaying in any way the conduct.

(2) No person may photograph, film, videotape, record the sounds of or display in any way a child engaged in sexually explicit conduct.

(3) No parent, legal guardian or other person exercising temporary or permanent control of a child may knowingly permit the child to engage in sexually explicit conduct which is filmed, photographed, videotaped, recorded for sound or displayed in any way.

(4) No person may knowingly produce, perform in, profit from, promote, import, reproduce, advertise, sell, distribute, or possess with intent to sell or distribute, any undeveloped film, photographic negative, photograph, motion picture, videotape, sound recording or other reproduction of a child engaging in sexually explicit conduct.

(5) Whoever violates this section is guilty of a Class C felony.

(6) In this section:

(a) "Child" means any person under the age of 18 years.

(b) "Sexually explicit conduct" means actual or simulated:

1. Sexual intercourse, including genital-genital, oral-genital, anal-genital or oral-anal, whether between persons of the same or opposite sex;

2. Bestiality;

3. Masturbation;

4. Sexual sadism or sexual masochistic abuse, including but not limited to, flagellation, torture or bondage; or

5. Lewd exhibition of the genitals or pubic area of any person.

History: 1977 c. 356.

940.21 Mayhem. Whoever, with intent to disable or disfigure another, cuts or mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is guilty of a Class B felony.

History: 1977 c. 173.

Injury by conduct regardless of life (940.23) and endangering safety by conduct regardless of life (941.30) can be lesser included offenses of mayhem. Kirby v. State, 86 W (2d) 292, 272 NW (2d) 113 (Ct. App. 1978).

940.225 Sexual assault. **(1)** FIRST DEGREE SEXUAL ASSAULT. Whoever does any of the following is guilty of a Class B felony:

(a) Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.

(b) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.

(c) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

(d) Has sexual contact or sexual intercourse with a person 12 years of age or younger.

(2) SECOND DEGREE SEXUAL ASSAULT. Whoever does any of the following is guilty of a Class C felony:

(a) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

(b) Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.

(c) Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.

(d) Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.

(e) Has sexual contact or sexual intercourse with a person who is over the age of 12 years and under the age of 16 years.

(3) THIRD DEGREE SEXUAL ASSAULT. Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class D felony.

(3m) FOURTH DEGREE SEXUAL ASSAULT. Whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

(4) CONSENT. "Consent", as used in this section, means words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. Consent is not an issue in alleged violations of subs. (1) (d) and (2) (c), (d) and (e). The following persons are presumed incapable of consent but the presumption may be rebutted by competent evidence, subject to the provisions of s. 972.11 (2):

(b) A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.

(c) A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

(5) DEFINITIONS. In this section:

(a) "Sexual contact" means any intentional touching by the complainant or defendant, either directly or through clothing by the use of any body part or object, of the complainant's or defendant's intimate parts if that intentional touching is either for the purpose of sexually degrading; or for the purpose of sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under s. 940.19 (1).

(b) "Sexual intercourse" includes the meaning assigned under s. 939.22 (36) as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction. The emission of semen is not required.

(6) MARRIAGE NOT A BAR TO PROSECUTION. A defendant shall not be presumed to be incapable of violating this section because of marriage to the complainant.

History: 1975 c. 184, 421; 1977 c. 173; 1979 c. 24, 75, 175, 221; 1981 c. 89, 308, 309, 310, 311.

Legislative Council Note, 1981: Presently, [in sub. (5) (a)] the definition of "sexual intercourse" in the sexual assault statute includes any intrusion of any part of a person's body or of any object into the genital or anal opening of another person. This proposal clarifies that the intrusion of the body part or object may be caused by the direct act of the offender (defendant) or may occur as a result of an act by the victim which is done in compliance with instructions of the offender (defendant). [Bill 630-S]

Failure to resist is not consent under (4). State v. Clark, 87 W (2d) 804, 275 NW (2d) 715 (1979).

Injury by conduct regardless of life is not a lesser-included crime of first-degree sexual assault. Hagenkord v. State, 94 W (2d) 250, 287 NW (2d) 834 (Ct. App. 1979).

Multiplicitous sexual assault charges discussed. State v. Eisch, 96 W (2d) 25, 291 NW (2d) 800 (1980).

Trial court did not err in denying accused's motions to compel psychiatric examination of victim and to discover victim's past addresses. State v. Lederer, 99 W (2d) 430, 299 NW (2d) 457 (Ct. App. 1980).

See note to art. I, sec. 5, citing State v. Baldwin, 101 W (2d) 441, 304 NW (2d) 742 (1981).

Conviction on 2 counts of rape, where offenses occurred 25 minutes apart in same location, did not violate double jeopardy provisions of U.S. Constitution. Harrell v. Israel, 478 F Supp. 752 (1979).

Conviction for attempted first degree sexual assault based on circumstantial evidence did not deny due process. Upshaw v. Powell, 478 F Supp. 1264 (1979).

940.29 Abuse of residents of facilities. Any person in charge of or employed in any of the following facilities who abuses, neglects or ill-treats any person confined in or a resident of any such facility or who knowingly permits another person to do so is guilty of a Class E felony:

(1) A penal or correctional institution or other place of confinement; or

(2) A home for the aged; or

(3) A hospital for the mentally ill; or

(4) A school or institution for the mentally deficient; or

(5) A state school for the blind or deaf; or

(6) An institution operated by a licensed child welfare agency or by a public agency for the care of neglected, dependent, or delinquent children; or

(7) A nursing home as defined in s. 50.01 (3).

(8) A community-based residential facility as defined in s. 50.01 (1).

History: 1975 c. 119; 1975 c. 413 s. 18; 1977 c. 173; 1979 c. 124; 1981 c. 20.

940.31 Kidnapping. (1) Whoever does any of the following is guilty of a Class B felony:

(a) By force or threat of imminent force carries another from one place to another without his consent and with intent to cause him to be secretly confined or imprisoned or to be carried out of this state or to be held to service against his will; or

(b) By force or threat of imminent force seizes or confines another without his consent and with intent to cause him to be secretly confined or imprisoned or to be carried out of this state or to be held to service against his will; or

(c) By deceit induces another to go from one place to another with intent to cause him to be secretly confined or imprisoned or to be carried out of this state or to be held to service against his will.

(2) Whoever violates sub. (1) with intent to cause another to transfer property in order to obtain the release of the victim is guilty of a Class A felony; but if the victim is released without permanent physical injury prior to the time the first witness is sworn at the trial the defendant is guilty of a Class B felony.

History: 1977 c. 173.

Conviction under (1) (c) does not require proof of express or implied misrepresentations. State v. Dalton, 98 W (2d) 725, 298 NW (2d) 398 (Ct. App. 1980).

940.32 Abduction. Whoever, for any unlawful or immoral purpose, does any of the following is guilty of a Class C felony:

(1) By force or threat of imminent force, takes any child under 18 years of age from his home or the custody of his parent or guardian; or

(2) Entices any child under 18 years of age from his home or the custody of his parent or guardian; or

(3) By force or threat of imminent force, detains any child under 18 years of age who is away from his home or the custody of his parent or guardian.

History: 1977 c. 173.

Cross Reference: See also 946.715 regarding interference by parent with parental rights of other parent.

CHAPTER 944

CRIMES AGAINST SEXUAL MORALITY

SEXUAL CRIMES WHICH AFFECT THE FAMILY.
944.05 Bigamy.
944.06 Incest.
SEXUAL CRIMES WHICH INVOLVE CHILDREN.
944.12 Enticing a child for immoral purposes.
SEXUAL CRIMES BETWEEN ADULTS WITH CONSENT.
944.15 Fornication.
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OBSCENITY.
944.20 Lewd and lascivious behavior.
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944.23 Making lewd, obscene or indecent drawings.
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PROSTITUTION.
944.30 Prostitution.
944.31 Patronizing prostitutes.
944.32 Soliciting prostitutes.
944.33 Pandering.
944.34 Keeping place of prostitution.
944.36 Solicitation of drinks prohibited.

SEXUAL CRIMES WHICH AFFECT THE FAMILY.

944.06 Incest. Whoever marries or has nonmarital sexual intercourse with a person he or she knows is a blood relative and such relative is in fact related in a degree within which the marriage of the parties is prohibited by the law of this state is guilty of a Class C felony.

History: 1977 c. 173.

SEXUAL CRIMES WHICH INVOLVE CHILDREN.

944.12 Enticing a child for immoral purposes. Any person 18 years of age or over, who, with intent to commit a crime against sexual morality, persuades or entices any child under 18 years of age into any vehicle, building, room or secluded place is guilty of a Class C felony.

History: 1977 c. 173.

See note to 904.04, citing State v. Tarrell, 74 W (2d) 647, 247 NW (2d) 696.

"Crime against sexual morality" is not limited to acts prohibited by this chapter. State v. Morrow, 95 W (2d) 595, 291 NW (2d) 298 (Ct. App. 1980).

944.32 Soliciting prostitutes. Whoever intentionally solicits or causes any person to practice prostitution or establishes any person in a place of prostitution is guilty of a Class D felony. If the person is under the age of 18, the defendant is guilty of a Class C felony.

History: 1977 c. 173.

944.25 Exposing minors to harmful materials. (1) DEFINITIONS. In this section:

(a) "Minor" means any person under the age of 18 years.

(b) "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

(c) "Sexual conduct" means acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person is a female, breast.

(d) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(e) "Sadomasochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

(f) "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:

1. Predominantly appeals to the prurient, shameful or morbid interest of minors; and

2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and

3. Is utterly without redeeming social importance for minors.

(g) "Knowledge of the nature of the material" means:

1. Knowledge of the character and content of any material described herein, or

2. Knowledge or information that the material described herein has been adjudged to be harmful to minors in a proceeding instituted under sub. (2) or (10), or is the subject of a pending proceeding instituted under sub. (2) or (10).

(h) "Knowledge of the minor's age" means:

1. Knowledge or information that the person is a minor, or

2. Reason to know, or a belief or ground for belief which warrants further inspection or inquiry of the age of the minor.

(i) "Person" means any individual, partnership, firm, association, corporation or other legal entity.

(j) "Harmful material" means:

1. Any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sadomasochistic abuse, and which is harmful to minors, or

2. Any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter enumerated in subd. 1, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sadomasochistic abuse, and which, taken as a whole, is harmful to minors.

STATE OF WISCONSIN

1983 Assembly Bill 296

Date of enactment: March 22, 1984
Date of publication*: March 27, 1984

1983 Wisconsin Act 172

AN ACT *to repeal* 48.981 (3) (c) 6 and 9, 48.981 (7) to (9) and 48.981 (10) (a) 2 and 3; *to renumber* 48.981 (10) (title); *to renumber and amend* 48.981 (3) (c) 7 and 8, 48.981 (10) (a) 1. (intro.), a and b, 48.981 (10) (a) 1.c and d, 48.981 (10) (b) and 48.981 (11) and (12); *to amend* 48.207 (3), 48.981 (1) (a), (c) and (d), 48.981 (2), 48.981 (3) (title), (a) and (b) 1 and 2, 48.981 (4) and 48.981 (6); *to repeal and recreate* 48.981 (3) (c) 1 to 5 and 48.981 (3) (d); and *to create* 48.981 (1) (a) 3 to 5, (cm) and (e) to (h), 48.981 (3) (c) 8 and 48.981 (7) (a) 3 to 9 and 11 and (b) to (e) of the statutes, *relating to* reporting of child abuse and neglect, and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.207 (3) of the statutes is amended to read:

48.207 (3) A child ~~placed in protective~~ taken into custody under s. 48.981 may be held in a hospital, foster home, relative's home or other appropriate medical or child welfare facility which is not used primarily for the detention of delinquent children.

SECTION 2. 48.981 (1) (a), (c) and (d) of the statutes are amended to read:

48.981 (1) (a) "Abuse" means any ~~physical~~ of the following:

1. Physical injury inflicted on a child by other than accidental means~~, or sexual~~.

2. Sexual intercourse or sexual contact under s. 940.225. ~~In this paragraph, "physical injury" includes but is not limited to severe bruising, lacerations, fractured bones, burns, internal injuries or any injury constituting great bodily harm under s. 939.22 (14).~~

(c) "County agency" means ~~the~~ a county child welfare agency ~~as defined in~~ under s. 48.56 (1) or a community human services board under s. 46.23.

(d) ~~"Neglected child" means a child whose~~ "Neglect" means failure, refusal or inability on the part of a parent, guardian, legal custodian or other person exercising temporary or permanent control over ~~the child neglects, refuses or is unable~~ a child, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child.

SECTION 3. 48.981 (1) (a) 3 to 5, (cm) and (e) to (h) of the statutes are created to read:

48.981 (1) (a) 3. A violation of s. 940.203.

4. Permitting or requiring a child to violate s. 944.30.

5. Emotional damage.

(cm) "Emotional damage" means harm to a child's psychological or intellectual functioning which is exhibited by severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors, which is caused by the child's parent, guardian, legal custodian or other person exercising temporary or permanent control over the child and for which the child's parent, guardian or legal custodian has failed to obtain the treatment necessary to remedy the harm. "Emotional damage" may be demonstrated by a substantial and observable change in behavior,

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* Section 991.11, WISCONSIN STATUTES 1981-82: **Effective date of acts.** "Every act and every portion of an act enacted by the legislature over the governor's veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication must be within 10 working days from the date of enactment].

emotional response or cognition that is not within the normal range for the child's age and stage of development.

(e) "Physical injury" includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm as defined under s. 939.22 (14).

(f) "Record" means any document relating to the investigation, assessment and disposition of a report under this section.

(g) "Reporter" means a person who reports suspected abuse or neglect or a belief that abuse will occur under this section.

(h) "Subject" means the child who is the victim or alleged victim of abuse or neglect, the child's parent or any other person specified in a report or record who is alleged or determined to have abused or neglected the child.

SECTION 4. 48.981 (2) of the statutes is amended to read:

48.981 (2) PERSONS REQUIRED TO REPORT CASES OF SUSPECTED CHILD ABUSE OR NEGLECT. A physician, coroner, medical examiner, nurse, dentist, chiropractor, optometrist, ~~or any~~ other medical or mental health professional, social or public assistance worker, school teacher, administrator or counselor, child care worker in ~~any~~ a day care center or child caring institution, day care provider, alcohol or other drug abuse counselor, member of the treatment staff employed by or working under contract with a board established under s. 46.23, 51.42 or 51.437, physical therapist, occupational therapist, speech therapist, emergency medical technician — advanced (paramedic), ambulance attendant or police or law enforcement officer having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or having reason to believe that a child seen in the course of professional duties has been threatened with an injury and that abuse of the child will occur shall report as provided in sub. (3). Any other person including an attorney having reason to ~~believe~~ suspect that a child has been abused or neglected or reason to believe that a child has been threatened with an injury and that abuse of the child will occur may make such a report. No person making a report under this subsection may be discharged from employment for so doing.

SECTION 5. 48.981 (3) (title), (a) and (b) 1 and 2 of the statutes are amended to read:

48.981 (3) (title) REPORTS; INVESTIGATION. (a) (title) *Referral of report of suspected child abuse or neglect.* Persons required to report under sub. (2) shall immediately contact, by telephone or personally, the county agency, sheriff or city police department and, in the case of American Indian children, the tribal government and shall inform the agency or department of the facts and circumstances contributing to a suspicion of child abuse or neglect or to a belief that abuse will occur. The sheriff or police department shall within ~~24~~ 12 hours, exclusive of Saturdays, Sundays or legal holidays, refer to the county agency and, in the case of American Indian children, the tribal government all cases reported to it. The county agency may require that a subsequent report be made in writing. Each county agency shall adopt a written policy specifying the kinds of reports it will routinely report to local law enforcement authorities.

(b) 1. Any person reporting ~~suspected abuse or neglect of a child~~ under this section may request an immediate investigation by the sheriff or police department if the person has reason to ~~believe~~ suspect that ~~the~~ a child's health or safety is in immediate danger. Upon receiving such a request, the sheriff or police department shall immediately investigate to determine if there is reason to believe that the child's health or safety is in immediate danger and take any necessary action to protect the child.

2. If the investigating officer has reason under s. 48.19 (1) (c) or (d) 5 to take a child into custody, the investigating officer shall ~~place~~ take the child ~~in protective~~ into custody and deliver the child to the intake worker under s. 48.20.

SECTION 6. 48.981 (3) (c) 1 to 5 of the statutes are repealed and recreated to read:

48.981 (3) (c) 1. Within 24 hours after receiving a report under sub. (3) (a), the county agency shall, in accordance with the authority granted it under s. 48.57 (1) (a), initiate a diligent investigation to determine if the child is in need of protection or services. The investigation shall include observation of or an interview with the child, or both, and, if possible, a visit to the child's home or usual living quarters and an interview with the child's parents, guardian or legal custodian. At the initial visit to the child's home or living quarters, the person making the investigation shall identify himself or herself and the county agency involved to the child's parents, guardian or legal custodian. The county agency may contact, observe or interview the child at any location without permission from the child's parent, guardian or legal custodian if necessary to determine if the child is in need of protection or services, except that the person making the investigation may enter a child's home or living quarters only with permission from the child's parent, guardian or legal custodian or after obtaining a court order to do

2. If the person making the investigation determines that any child in the home requires immediate protection, he or she shall take the child into custody under s. 48.08 (2) or 48.19 (1) (c) and deliver the child to the intake worker under s. 48.20.

3. If the county agency determines that a child, any member of the child's family or the child's guardian or legal custodian is in need of services, the county agency shall offer to provide appropriate services or to make arrangements for the provision of services. If the child's parent, guardian or legal custodian refuses to accept the services, the county agency may request that a petition be filed under s. 48.13 alleging that the child who is the subject of the report or any other child in the home is in need of protection or services.

4. The county agency shall determine, within 60 days after receipt of a report, whether abuse or neglect has occurred or that the child has been threatened with an injury and that abuse of the child is likely to occur. The determination shall be based on a preponderance of the evidence produced by the investigation. A determination that abuse or neglect has occurred may not be based solely on the fact that the child's parent, guardian or legal custodian in good faith selects and relies on prayer or other religious means for treatment of disease or for remedial care of the child. In making a determination that emotional damage has occurred, the county agency shall give due regard to the culture of the subjects and shall establish that the person alleged to be responsible for the emotional damage is unwilling to remedy the harm. This subdivision does not prohibit a court from ordering medical services for the child if the child's health requires it.

5. The county agency shall maintain a record of its actions in connection with each report it receives. The record shall include a description of the services provided to any child and to the parents, guardian or legal custodian of the child. The county agency shall update the record every 6 months.

SECTION 7. 48.981 (3) (c) 6 and 9 of the statutes are repealed.

SECTION 8. 48.981 (3) (c) 7 and 8 of the statutes are renumbered 48.981 (3) (c) 6 and 7 and amended to read:

48.981 (3) (c) 6. The ~~investigator shall inform any person required to report suspected cases of child abuse or neglect that the report was unfounded or that steps were~~ county agency shall, within 60 days after it receives a report from a person required under sub. (2) to report, inform the reporter what action, if any, was taken to protect the health and welfare of ~~a~~ the child who is the subject of ~~a~~ the report ~~made by the person. At least one contact shall be made under this subdivision within 60 days after receipt of the initial report by the agency~~.

7. The county agency shall cooperate with law enforcement officials, courts of competent jurisdiction, tribal governments and other human service agencies to prevent, identify and treat child abuse and neglect. ~~To the extent possible, the~~ The county agency shall coordinate the development and provision of services to abused and neglected children ~~found to be abused or neglected under this section~~ and to families where abuse or neglect has occurred or to children and families where circumstances justify a belief that abuse will occur.

SECTION 9. 48.981 (3) (c) 8 of the statutes is created to read:

48.981 (3) (c) 8. Using the format prescribed by the department, each county agency shall provide the department with information about each report it receives and about each investigation it conducts. This information shall be used by the department to monitor services provided by county agencies. The department shall use nonidentifying information to maintain statewide statistics on child abuse and neglect, and for planning and policy development.

SECTION 10. 48.981 (3) (d) of the statutes is repealed and recreated to read:

48.981 (3) (d) *Independent investigation.* If an agent or employe of a county agency required to investigate under this subsection is the subject of a report, or if the county agency determines that, because of the relationship between the county agency and the subject of a report, there is a substantial probability that the county agency would not conduct an unbiased investigation, it shall, after taking any action necessary to protect the child, notify the department. Upon receipt of the notice, the department or an agency designated by it shall conduct an independent investigation. The powers and duties of the department or other agency making an independent investigation are those given to county agencies under sub. (3) (c). In this paragraph, "agent" includes, but is not limited to, a foster parent or other person given custody of the child or a human service professional of a community board established under s. 46.23, 51.42 or 51.437, if the professional is working with the child under contract with or under the supervision of the county agency.

SECTION 10m. 48.981 (4) of the statutes is amended to read:

48.981 (4) IMMUNITY FROM LIABILITY. Any person or institution participating in good faith in the making of a report, conducting an investigation, ordering or taking of photographs or ordering or performing medical examinations of a child under this section shall have immunity from any liability, civil or criminal, that results by reason of the action. For the purpose of any proceeding, civil or criminal, the good faith of any person reporting under this section shall be presumed.

SECTION 11. 48.981 (6) of the statutes is amended to read:

48.981 (6) PENALTY. Whoever wilfully violates this section by failure to ~~file a~~ report as required, may be fined not more than ~~$100~~ $1,000 or imprisoned not more than 6 months or both.

SECTION 12. 48.981 (7) to (9) of the statutes are repealed.

SECTION 13. 48.981 (7) (a) 3 to 9 and 11 and (b) to (e) of the statutes are created to read:

48.981 (7) (a) 3. An attending physician for purposes of diagnosis and treatment.

4. A child's foster parent or other person having custody of the child.

5. A professional employe of a community board established under s. 46.23, 51.42 or 51.437 who is working with the child under contract with or under the supervision of the county agency.

6. A multidisciplinary child abuse and neglect team recognized by the county agency.

7. Another county agency currently investigating a report of suspected child abuse or neglect involving the subject of the record or report.

8. A law enforcement officer or agency for purposes of investigation or prosecution.

9. A court or administrative agency for use in a proceeding relating to the licensing or regulation of a facility regulated under this chapter.

11. The county corporation counsel or district attorney representing the interests of the public in proceedings under subd. 10.

(b) Notwithstanding par. (a), either parent of a child may authorize the disclosure of a record for use in a child custody proceeding under s. 767.24 when the child has been the subject of a report. Any information that would identify a reporter shall be deleted before disclosure of a record under this paragraph.

(c) Notwithstanding par. (a), a parent who is the subject of a report may authorize the disclosure of a record to any other person. The authorization shall be in writing. Any information that would identify a reporter shall be deleted before disclosure of a record under this paragraph.

(d) The department may have access to any report or record maintained by a county agency under this section.

(e) A person to whom a report or record is disclosed under this subsection may not further disclose it, except to the persons and for the purposes specified in this section.

SECTION 14. 48.981 (10) (title) of the statutes is renumbered 48.981 (7) (title).

SECTION 15. 48.981 (10) (a) 1. (intro.), a and b of the statutes are renumbered 48.981 (7) (a) (intro.), 1 and 2 and amended to read:

48.981 (7) (a) (intro.) All reports and records made under this section and maintained by the department, county agencies~~, the central registry~~ and other ~~appropriate~~ persons, officials and institutions shall be confidential~~, except that confidentiality of and access to preliminary investigative reports maintained by the department shall be governed solely by sub. (7). Information shall not be made available to any individual or institution except to~~. Reports and records may be disclosed only to the following persons:

1. The subject of ~~any~~ a report, except that the ~~department or other governmental~~ person or agency ~~shall~~ maintaining the record or report may not ~~release data~~ disclose any information that would identify the ~~initial~~ reporter~~;~~.

2. Appropriate staff of the department or a county ~~agencies, who may release information to their agents or to an attending physician for treatment and diagnosis, but prior reports or a lack of prior reports shall not be the basis for the determination of whether child abuse or neglect has occurred;~~ agency.

SECTION 16. 48.981 (10) (a) 1. c and d of the statutes are renumbered 48.981 (7) (a) 10 and 12 and amended to read:

48.981 (7) (a) 10. ~~Any~~ A court conducting ~~child protective~~ proceedings related to a petition under s. 48.13 or ~~any~~ a court conducting dispositional proceedings under subch. VI in which abuse or neglect of the child who is the subject of the report or record is an issue~~; and~~.

12. ~~Any~~ A person engaged in bona fide research, with the permission of the department~~, provided, however, that information~~. Information identifying ~~the~~ subjects ~~of the reports~~ and ~~the~~ reporters ~~shall~~ may not be ~~made available~~ disclosed to the researcher.

SECTION 17. 48.981 (10) (a) 2 and 3 of the statutes are repealed.

SECTION 18. 48.981 (10) (b) of the statutes is renumbered 48.981 (7) (f) and amended to read:

48.981 (7) (f) Any person who violates this subsection, or who permits or encourages the unauthorized dissemination or use of information contained ~~in the central registry and~~ in reports and records made under this section, may be fined not more than $1,000 or imprisoned not more than 6 months or both.

SECTION 19. 48.981 (11) and (12) of the statutes are renumbered 48.981 (8) and (9), and 48.981 (9), as renumbered, is amended to read:

48.981 (9) ANNUAL REPORTS. No later than ~~August~~ October 1 of each year the department shall prepare and transmit to the governor and the legislature a report on the status of child abuse and neglect programs. The report shall include a full statistical analysis of the child abuse and neglect reports made through the last calendar year, an evaluation of services offered under this section and their effectiveness, and recommendations for additional legislative and other action to fulfill the purpose of this section. The department shall provide statistical breakdowns by county, if requested by a county.

SECTION 20. **Nonstatutory provision.** Six months after the effective date of this act, the department of health and social services shall destroy all identifying records of the central child abuse registry maintained under section 48.981 (8), 1981 stats.

1983 Assembly Bill 250

Date of enactment: May 5, 1983
Date of publication*: May 11, 1983

1983 Wisconsin Act 17

AN ACT *to repeal* 944.20 (3); *to amend* 343.06 (11), 343.30 (2d), 939.22 (24), 944.20 (2), 944.30 (2), 944.31 and 944.33 (1) (a) and (b); *to repeal and recreate* 944.15 and 944.17; and *to create* 944.01 of the statutes, *relating to* sexual activity between consenting adults.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.06 (11) of the statutes is amended to read:

343.06 (11) To any person who has been convicted of any offense specified under ss. 940.225~~,~~ and 944.12 ~~and 944.17~~ or adjudged delinquent under ch. 48 for a like or similar offense, when the sentencing court makes a finding that issuance of a license will be inimical to the public safety and welfare. ~~Such~~ The prohibition against issuance of a license to ~~said~~ the offenders shall apply ~~forthwith~~ immediately upon receipt of a record of ~~such~~ the conviction and ~~such~~ the court finding by the secretary, for a period of one year or until discharge from any jail or prison sentence or any period of probation or parole with respect to the offenses specified, whichever date is the later. Receipt by ~~such~~ the offender of a certificate of discharge from the department of health and social services or other responsible supervising agency shall, after one year has elapsed since ~~said~~ the prohibition began, entitle the holder ~~thereof~~ to apply for an operator's license. ~~Such~~ The applicant may be required to present the certificate of discharge to the secretary if the latter deems it necessary.

SECTION 2. 343.30 (2d) of the statutes is amended to read:

343.30 (2d) A court may suspend or revoke a person's operating privilege upon conviction of any offense specified under ss. 940.225~~,~~ and 944.12 ~~and 944.17, when~~, if the court finds that it is inimical to the public safety and welfare for the offender to have operating privileges. The suspension or revocation shall be for one year or until discharge from prison or jail sentence or probation or parole with respect to the offenses specified, whichever date is later. Receipt of a certificate of discharge from the department of health and social services or other responsible supervising agency ~~shall~~, after one year has elapsed since ~~such~~ the suspension or revocation, ~~entitle~~ entitles the holder ~~thereof~~ to reinstatement of operating privileges. The holder may be required to present ~~such~~ the certificate to the secretary if the ~~latter~~ secretary deems necessary.

SECTION 3. 939.22 (24) of the statutes is amended to read:

939.22 (24) "Place of prostitution" means any place where a person habitually engages, in public or in private, in nonmarital acts of sexual intercourse, sexual ~~perversion~~ gratification involving the sex organ of one person and the mouth or anus of another, masturbation or sexual contact for any thing of value.

SECTION 3m. 944.01 of the statutes is created to read:

944.01 Intent. The state recognizes that it has a duty to encourage high moral standards. Although the state does not regulate the private sexual activity of consenting adults, the state does not condone or encourage any form of sexual conduct outside the institution of marriage. Marriage is the foundation of family and society. Its stability is basic to morality and civilization, and of vital interest to society and this state.

SECTION 4. 944.15 of the statutes is repealed and recreated to read:

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* Section 991.11, WISCONSIN STATUTES 1981-82: **Effective date of acts.** "Every act and every portion of an act enacted by the legislature over the governor's veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication must be within 10 working days from the date of enactment].

944.15 Fornication. (1) In this section, "in public" means in a place where or in a manner such that the person knows or has reason to know that his or her conduct is observable by or in the presence of persons other than the person with whom he or she is having sexual intercourse.

(2) Whoever has sexual intercourse in public or whoever has sexual intercourse with a minor who is 16 years old or older but younger than 18 years old and who is not his or her spouse is guilty of a Class E felony.

SECTION 5. 944.17 of the statutes is repealed and recreated to read:

944.17 Sexual gratification. (1) In this section, "in public" means in a place where or in a manner such that the person knows or has reason to know that his or her conduct is observable by or in the presence of persons other than the person with whom he or she is having sexual gratification.

(2) Whoever does any of the following is guilty of a Class A misdemeanor:

(a) Commits an act of sexual gratification in public involving the sex organ of one person and the mouth or anus of another.

(b) Commits an act of sexual gratification with a minor who is 16 years old or older but younger than 18 years old and who is not his or her spouse, involving the sex organ of one person and the mouth or anus of another.

(c) Commits an act of sexual gratification involving his or her sex organ and the sex organ, mouth or anus of an animal.

(d) Commits an act of sexual gratification involving his or her sex organ, mouth or anus and the sex organ of an animal.

SECTION 6. 944.20 (2) of the statutes is amended to read:

944.20 (2) Publicly and indecently exposes a sex organ; ~~or~~.

SECTION 7. 944.20 (3) of the statutes is repealed.

SECTION 8. 944.30 (2) of the statutes is amended to read:

944.30 (2) Commits or offers to commit or requests to commit an act of sexual ~~perversion~~ gratification, in public or in private, involving the sex organ of one person and the mouth or anus of another for any thing of value.

SECTION 9. 944.31 of the statutes is amended to read:

944.31 Patronizing prostitutes. Any person who enters or remains in any place of prostitution with intent to have nonmarital sexual intercourse or to commit an act of sexual ~~perversion~~ gratification, in public or in private, involving the sex organ of one person and the mouth or anus of another, masturbation or sexual contact with a prostitute is guilty of a Class A misdemeanor.

SECTION 10. 944.33 (1) (a) and (b) of the statutes are amended to read:

944.33 (1) (a) Solicits another to have nonmarital sexual intercourse or to commit an act of sexual ~~perversion~~ gratification, in public or in private, involving the sex organ of one person and the mouth or anus of another, masturbation or sexual contact with a person the solicitor knows is a prostitute; or

(b) With intent to facilitate another in having nonmarital intercourse or committing an act of sexual ~~perversion~~ gratification, in public or in private, involving the sex organ of one person and the mouth or anus of another, masturbation or sexual contact with a prostitute, directs or transports the person to a prostitute or directs or transports a prostitute to the person.

APPENDIX B: SEXUAL ABUSE INDICATORS

Sexual abuse includes any contact or interaction between a child and another person in which the child is being used for the sexual stimulation of the perpetrator or any additional person.

PHYSICAL INDICATORS

Often sexual abuse is not discovered in a school setting through physical indicators alone. Frequently a child confides in a trusted teacher, counselor, or nurse that sexual assault or molestation by a caretaker has occurred; that may be the first sign of sexual abuse. However, one should be alert for some physical signs, such as the following:

- difficulty in walking or sitting
- torn, stained, or bloody underclothing
- complaints of pain or itching in the genital area
- bruises or bleeding in external genital, vaginal, or anal area
- venereal disease, particularly in a child under 13
- pregnancy, especially in early adolescence

BEHAVIORAL INDICATORS

The sexually abused child may behave in any of the following ways:

- appear withdrawn, engage in fantasy or infantile behavior, or even appear retarded
- have poor peer relationships
- be unwilling to change for gym or participate in physical activities
- engage in delinquent acts or run away
- display bizarre, sophisticated, or unusual sexual knowledge or behavior
- state that a sexual assault by a caretaker has occurred

APPENDIX C: INTERVIEWING TECHNIQUES[1]

INTERVIEWING THE ABUSED CHILD

The initial mandated reporter and persons coming in contact with a victim of child abuse, neglect, or sexual assault who feel qualified and comfortable in interviewing the victim should keep in mind the following techniques where appropriate:

1. Be friendly and nonthreatening.
2. Conduct the discussion in a setting in which the child feels comfortable and which offers privacy without interruptions.
3. Set a tone that is comfortable and open; alleviate feelings of shame or guilt.
4. Get in touch with your own personal feelings regarding what has happened. Identify and separate these from the child's; do not project or impose them or tell the victim how to feel.
5. Give the permission to talk about sex; provide terminology.
6. Get on the victim's level; use simple vocabulary, drawings, or dolls, if necessary.
7. Give the opportunity to ventilate about the incident, offender, and about friends' and family's reactions.
8. Communicate that none of it is an "unspeakable horrible" and that they can talk about all of it; but do not extract details of the incident if the child does not feel a need to tell all.
9. Listen to what the child says; encourage talking at the victim's pace and expressing feelings. Active listening and reflecting one's own feelings can be very helpful.
10. Communicate that the child is not alone in this experience; it has happened to others.
11. Interrupt only for clarity or to return to the subject.
12. Give permission for the child to express all feelings including the ambiguous ones (pleasure, guilt, or anger).
13. Deal with the guilt; communicate clearly that the adult is in charge and responsible and it is not the child's fault. (Assure the child that the abuse was not the child's fault and that you believe the story.)
14. Give accurate and educational information; the child may have confusing and wrong information regarding the use and abuse of one's sexuality (appropriate and inappropriate behaviors). Have the child repeat things back in simple language to see if understanding has been achieved.

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1. All techniques in Appendix C were compiled by Ann Ranfranz, Director of the Sexual Assault Counseling Unit, Milwaukee County District Attorney's Office.

15. Explain that exploitation, trickery, deception, and betrayal are unacceptable, whether they occur in sexual or nonsexual ways. (Note: a child with a thorough sex education has a strong base from which to understand this concept.)

16. Discuss the concept that emotional hurt is as real as physical hurt.

17. Reinforce the emotion of anger when it is expressed; anger is important for overcoming a sense of victimization.

18. Talk about all feelings: anger, shame, guilt, low self-esteem, betrayal, helplessness, powerlessness, sadness, depression, self-hatred, confusion, and so forth.

19. Believe the child, and assume the truth is being told.

20. Communicate that you are glad the child told you about what happened and that you want to help protect the child from any further abuse.

21. Respect the child's privacy, and do not talk with others about it.

22. If you are referring the case elsewhere, discuss with the child what will take place; allow the child to feel a part of this, not like something is being done to them.

23. Do not suddenly treat the child differently; help the child put the incident in perspective and proceed with normal activities and routines.

24. Ask for questions and be sure to answer them.

25. Have someone simultaneously talking with the child's parents. Their continued overreactions can be harmful to the child, particularly if the parents' reactions are incorporated into the victim's.

THE PARENT INTERVIEW[2]

Parents should be assured of the interview's confidentiality; if some of what is discussed must be revealed to a third party, that should be made clear. The interviewer should avoid prying into matters extraneous to the interview's subject. Parents should be assured of the school's support for them and its continuing interest in the child. It is important not to alienate the family; regardless of the situation's outcome the school is likely to continue serving the family.

Whether interviewing parent or child, the educator should keep in mind that situations that appear to be maltreatment may turn out to be something else. It is important to maintain professional conduct by adhering to the facts and avoiding placement of blame through judgments and accusations.

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2. National Center on Child Abuse and Neglect, "The Educator's Role in the Prevention and Treatment of Child Abuse and Neglect," publication no. (OHDS) 79-30172 (Washington, D.C.: Department of Health, Education, and Welfare, August 27, 1979).

Occasionally an angry parent will come to school demanding to know why someone is "telling me how to raise my children." This is particularly likely to happen when the school has not informed the parent that it has filed a report of suspected child abuse and neglect. Parents have the right to know that a report has been made. They often feel betrayed or that someone "went behind their back" when they are not told. In any case, the parents nearly always know where the report has come from, and attempts at concealment only anger them further.

Should angry parents appear at school, they should be handled exactly as any parent angry over any matter (for example, a failing grade) is handled. In addition, one should stress the legal obligation to report and reaffirm the school's concern for the child.

Schools that have instituted this procedure report good results. Parents are less hostile and resentful when they understand that the school has a legal obligation it must fulfill. In addition, they appreciate an expression of concern and support at a time which is difficult for them as well.

SOME "DO'S AND DON'TS" OF INTERVIEWING WHEN TALKING WITH THE PARENTS[3]

Thought should be given to the most appropriate person to meet with the parents. In some cases, this will be the classroom teacher in whom the child has confided. In other cases, a pupil services staff member may be preferred.

Parents may be apprehensive or angry at the prospect of talking with the school about an injured child. The conversation should be conducted in private, and the parents should be told in the beginning why the discussion is taking place. If any action has occurred or will occur in the near future (a report of suspected abuse, for example), the parent should be told and the legal authority for the action made clear.

DO:

- Select interviewers appropriate to the situation
- Conduct the interview in private
- Tell the parents why the interview is taking place
- Be direct, honest, and professional
- Tell the parents the interview is confidential
- Reassure the parents of the school's support
- Tell the parents if a report has been made or will be made
- Advise the parents of the school's legal responsibilities to report

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3. National Center on Child Abuse and Neglect, "The Educator's Role."

DON'T:

- Try to "prove" abuse or neglect by accusations or demands
- Display horror, anger, or disapproval of parents, child, or situation
- Pry into family matters unrelated to the specific situation
- Place blame or make judgments about the parents or child

APPENDIX D: CURRICULA

"Curriculum for Head Start Children, Kindergarten Through Second Grade, Third Grade Through Fourth Grade, Fifth Grade Through Sixth Grade and Junior and Senior High," Skyline Elementary School, 2301 North Mildred, Tacoma, WA 98406.

"Curriculum for the Prevention of Child Sexual Abuse," Bridgework Theatre, 113½ East Lincoln, #3, Goshen, IN 46526. (Secondary level for more-advanced students or less-advanced students)

"Feelings and Your Body" - a prevention curriculum for preschoolers; Coalition for Child Advocacy, P.O. Box 159, Bellingham, WA 98227. (Five-day lesson plan, 30 minutes each day, $3.00)

"Illusion Theatre Guide for Teaching Mentally Retarded People About Sexual Abuse Prevention Education," Illusion Theater, 528 Hennepin Avenue, Suite #309, Minneapolis, MN 55403. ($5.00)

"The Kindergarten through Twelve Curriculum," Developmental Disabilities Project, Seattle Rape Relief, 1825 South Jackson, Suite 102, Seattle, WA 98144.

"No Easy Answers" - curriculum on teenagers and preventing adolescent sexual abuse; Illusion Theatre, 528 Hennepin Avenue, Suite #309, Minneapolis, MN 55403. ($25.00)

"Personal Safety Curriculum" -for parents, students, and teachers; Homemakers Service of Hampshire County, P.O. Box 927, 31 Trumbull Road, Northampton, MA 01061. ($10.00 - English and Spanish)

"Preventing Sexual Abuse of Persons With Disabilities: A Curriculum For Hearing Impaired, Physically Disabled, Blind and Mentally Retarded Students," Public Documents Division, 117 University Avenue, St. Paul, MN 55155.

"Sexual Abuse and Self Protection: Handicapped Students Have a Right to Know" -a curriculum for development of awareness of sexual abuse and teaching self-protection; Comprehensive Health Education Foundation, 20832 Pacific Highway South, Seattle, WA 98188. (Level I for ages 6-11, $125.00; Level II for junior high ages and adults, $495.00)

"Sexual Abuse Prevention Curriculum," Bridgework Theatre, EPSA Project, 113½ East Lincoln, #3, Goshen, IN 46526. (Available in two booklets: one each for elementary and secondary, $5.00 each)

"Sexual Abuse Prevention Education Personal Safety Curriculum," Franklin Hampshire Community Mental Health Center, P.O. Box 625, 50 Pleasant Street, Northampton, MA 10061. (In Spanish)

"Sexual Exploitation of Handicapped Students" -a description of the junior and senior high school curriculum; Developmental Disabilities Project, Seattle Rape Relief, 1825 South Jackson, Suite 102, Seattle, WA 98144.

"Sexual Exploitation of Handicapped Students" -a description of the elementary school curriculum; Developmental Disabilities Project, Seattle Rape Relief, 1825 South Jackson, Suite 102, Seattle, WA 98144.

APPENDIX E: PREVENTION PROGRAMS

"Bubbylonian Encounter" -a play for children about sense of touch (sexual abuse prevention); Bubbylonian Production, Inc., 7717 West 80th Street, Overland Park, KA 66204. A theatre play or videotape. (Tape available from Parental Stress Center, 1506 Madison Street, Madison, WI 53711)

Child Sexual Abuse Prevention Project: An Educational Program for Children, by Cordelia Kent, and Sexual Assault: A Manual for Law Enforcement, Medical, Social Services, Volunteer and Prosecutional Personnel and Agencies. Sexual Assault Services, Hennepin County Attorney's Office, C-2100 Government Center, Minneapolis, MN 55487.

Childhood Comes First: A "Crash Course in Childhood for Adults." Ray E. Helfer, M.D., Box 1781, East Lansing, MI 48823. "This course is written for, and dedicated to, all those adults who were unable to learn basic skills of interacting with others when they were children. This manual has been developed with the conviction that learning and improving upon the skills of relating to oneself and others, especially children, is both critical and possible, even though this training begins late in life, rather than early in childhood." (Especially for parents, but can be used by educators)

"Education for Parenthood: A Primary Prevention Strategy for Child Abuse and Neglect." Child Abuse Project, Education Commission of the States Report No. 93, 1976. Education Commission of the States, 300 Lincoln Tower, 1860 Lincoln Street, Denver, CO 80295.

Growing Children: A Program for Child Development and Parenthood. J. Charles Jones, 1973. THAFEX Associates, 90 Cherry Street, Box 579, Johnstown, PA 15907. Understandable for junior and senior high students, with suggestions for audio-visual use, class discussions, and test items; designed to help students be better parents. (Includes teacher's guide)

Handling Your Ups and Downs: A Children's Book About Emotions. Joy Wilt, 1981. Word Incorporated, 4800 West Waco Drive, Waco, TX 76796.

"He Told Me Not to Tell" -a parent's guide for talking to your child about sexual assault; King County Rape Relief, 305 South 43rd, Renton, WA 98055. (Excellent for teachers)

JETS (Justice Education Teacher Strategies) - a Pennsylvania program; write for information to Patrick Riopelle, Wisconsin Council on Criminal Justice, Suite 1000, 30 West Mifflin Street, Madison, WI 53703.

My Personal Safety Coloring Book Developed by the Fridley Police Department, 1982. 6431 University Avenue NE, Fridley, MN 55432.

No More Secrets: Protecting Your Child from Sexual Assault. Caren Adams and Jennifer Fay, 1981. California Impact Publishers, P.O. Box 1094, San Luis Obispo, CA 93406. (Designed for parents, this book can easily be used by teachers and counselors)

"Out of the Trap." Don Yost, 1982, Bridgework Theater, 113½ East Lincoln Avenue, Goshen, IN 46526.

Parenting Curriculum. Developed by the URSA Institute for the HEW Region X Office Child Development as part of the National Center for Child Abuse and Neglect Training and Technical Assistance Program. Yvonne Elder Walker, Project Director. A very thorough training manual with 10 units designed to teach parenting skills to an audience of wide variety including educators. Includes step-by-step directions to the trainer for each section of each unit. Examples of units are "Implications of Parenthood," "Parenting Myths," "Modeling," "Sexuality," " Nurturance," and "Discipline." Extensive resource section.

"Preventing Sexual Abuse: Activities and Strategies for Those Working With Children and Adolescents." Learning Publications, P.O. Box 1326, Holmes Beach, FL 33509. (Available January 1984)

"Prevention of Sexual Assault for Parents and Children" -guidelines and curriculums for use with groups of parents and/or children; Southern California Rape Prevention Study Center, Didi Hirsch Community Mental Health Center, 4760 South Sepulveda Boulevard, Culver City, CA 90230. ($13.50) Also "Community Education for Prevention of Sexual Assaults" -a program book. ($17.50)

Protective Behaviors: Anti-Victim Training for Children. Peg West, School Social Worker, Madison Metropolitan School District, 545 West Dayton Street, Madison, WI 53703. Planned interventions that can be used in preventative, early intervention crisis, and post-crisis situations. Modified brainstorming process easily adaptable to small group or individual discussions and can be used by teachers, school support staff, and other agencies. ($8.00)

Rape: Awareness and Education for Educators -resource book and curriculum guide; Rape Crisis Center of Syracuse, 304 Seymour Street, Syracuse, NY 13204.

Sanford, Linda T. The Silent Children: A Parents' Guide to the Prevention of Child Sexual Abuse. New York: Doubleday, 1980.

"Strategies for Free Children: A Guide to Child Assault Prevention." Child Assault Prevention, P.O. Box 02084, Columbus, OH 43202. ($18.50 each plus $1.50 postage and handling)

"Secret in the Toy Room" -a play concerning sexual and child abuse by Pat Zawacsky; sponsored by CESA #7, the Portage County Council of Human Sexuality, and Citizens for Informed Human Sexuality. It's a play that may save a child's life. (Aimed at children at the fourth-grade level and below)

"Taking Care of Me" -a training tape that shows how to deliver a prevention program to elementary children; Didi Hirsch Community Mental Health Center, 4760 South Sepulveda Boulevard, Culver City, CA 90230. (Videotape $40.00, prevention package $50.00)

TOUCH -a program designed to explain and prevent the sexual abuse of children; created by Illusion Theater and presented in communities in cooperation with local sponsors; Illusion Theater, 528 Hennepin Avenue, Suite #309, Minneapolis, MN 55403.

The Touching Problem (vol. 1) by Sandra Klevin and Joan Krebill, and Sexual Abuse Prevention: A Lesson Plan (vol. 2) by Sandra Klevin; 1981. Coalition for Child Advocacy, Soap Box Productions, Bellingham, WA 98225.

What Can I Do to Prevent Harm to Children? A Resource Guide for Mandated Reporters. Division of Social Services, Department of Public Welfare, 658 Cedar Street, St. Paul, MN 55155.

APPENDIX F: TRAINING RESOURCES

Treatment of Family Sexual Abuse
Program in Human Sexuality
Research East Building
2630 University Avenue Southeast
University of Minnesota
Minneapolis, MN 55414
(612) 376-7520

Institute for Prevention and Treatment of Child Sexual Abuse
223 North Yakima Avenue
Tacoma, WA 98403
(206) 564-3787

OASIS Project
Parental Stress Center - Fran Nelson
1506 Madison Street
Madison, WI 53711
(608) 251-9464

Office for Children Youth and Families
Central Office
1 West Wilson Street
Madison, WI 53703
(608) 266-2701

Trudee Able-Peterson
101 Cooper Street, Apt. #14
New York, NY 10034
(212) 567-0965

Protective Behaviors: Anti-Victim Training for Children
Peg West
1005 Rutledge Street
Madison, WI 53703
(608) 257-4855

University of Wisconsin-Eau Claire
Stephen Bavolek
Department of Special Education
Eau Claire, WI 54701
(715) 836-5511

University of Wisconsin Extension-Madison
Bernadine E. Bednarz
Room 325, Lowell Hall
610 Langdon Street
Madison, WI 53703
(608) 263-4431/263-2088

University of Wisconsin Extension-Milwaukee
Civic Center Campus--Kathy Hanold
929 North Sixth Street
Milwaukee, WI 53203
(414) 224-4743

Barbara Wehman
Human Growth and Development Coordinator
CESA #4
Box 728
Cumberland, WI 54829
(715) 822-4711

APPENDIX G: SEXUAL ABUSE BIBLIOGRAPHY

Anderson, Cordelia. "Child Sexual Abuse Prevention: How To Take the First Steps." Minneapolis: Illusion Theater, 1983.

"Are Children with Disabilities Vulnerable to Sexual Abuse?" Public Documents Division, 117 University Avenue, St. Paul, MN 55155, (612) 297-3000. (50 for $7.00)

Armstrong, Louise. Kiss Daddy Goodnight: A Speakout on Incest. New York: Hawthorne Books, 1978, Pocket Book, 1979.

Barry, Kathleen M. Female Sexual Slavery. Englewood Cliffs, NJ: Prentice-Hall, 1974.

Burgess, Ann W., and Lynda L. Holmstrom. Rape: Crisis and Recovery. Englewood Cliffs, NJ: Prentice-Hall, 1974.

Burgess, Ann W., A. Nicholas Groth, Lynda L. Holmstrom, and Suzanne M. Sgroi. Sexual Assault of Children and Adolescents. Lexington, KY: Lexington Books, 1978.

Butler, Sandra. Conspiracy of Silence: The Trauma of Incest. New York: Bantam Books, 1979.

Chappel, Duncan, and others, eds. Forcible Rape: The Crime, the Victim and the Offender. New York: Columbia University Press, 1977.

"Child Sexual Abuse: It Is Happening." Minnesota Program for Victims of Sexual Assault, Minnesota Department of Corrections, 430 Metro Square Building, St. Paul, MN 55101.

"Child Sexual Abuse: Legal Issues and Approaches." National Legal Resource Center for Child Advocacy and Protection, 1800 M. Street NW, Washington, DC 20036.

Children Need Protection: A Guide for Talking to Children About Sexual Assault. Carver County Program for Victims of Sexual Assault, 401 East Fourth Street, Chaska, MN 55318.

Colao, Flora, and Tamar Hosansky, Your Children Should Know. Indianapolis, IN: Bobbs-Merrill, 1983.

Dayee, Frances S. The Private Zone: A Book Teaching Children Sexual Assault Prevention Techniques. Edmonds, WA: Charles Franklin, 1982.

"Dear Elizabeth." Children's Institute of Kansas City, 9412 High Drive, Leawood, KS 66205.

DeFrancis, Vincent. Protecting the Child Victim of Sex Crimes Committed by Adults. Denver: American Humane Association, Children's Division, 1969.

Finkelhor, David. Sexually Victimized Children. New York: The Free Press, 1979.

Fontana, Vincent. Dealing with Sexual Child Abuse. Chicago: National Committee for Prevention of Child Abuse, 1978.

Forward, Susan, and Craig Buck. Betrayal of Innocence: Incest and Its Devastation. New York: Penguin Books, 1978.

Geiser, Robert L. Hidden Victims: The Sexual Abuse of Children. Boston, MA: Beacon Press, 1979.

Griffin, Susan. Rape: The Power of Consciousness. New York: Harper and Row, 1979.

Herman, Judith L. Father-Daughter Incest. Cambridge, MA: Harvard University Press, 1981.

Holder, Wayne M., ed. Sexual Abuse of Children: Implications for Treatment. Englewood, CO: American Humane Association, Child Protection Division, 1980.

Holley, Kay Christy. Sexual Misuse of Children: Tools for Understanding. Tacoma, WA: Pierce County Rape Relief, 1978.

Holmstrom, Lynda L., and Ann W. Burgess. The Victim of Rape. New York: John Wiley and Sons, 1978.

"How to Protect Yourself Against Rape." YWCA/R.A.P.E. Relief Center, 604 South Third Street, Louisville, KY 40202, (502) 581-7273. (Braille)

Janus, Sam. The Death of Innocence. New York: William Morrow, 1981.

Justice, Blair, and Rita Justice. The Broken Taboo: Sex in the Family. New York: Human Science Press, 1979.

Kissell, Christi, and Elaine Tibbits. Daddy's Girl. Santa Cruz, CA: Parents Center, 1979.

Linedecker, Clifford L. Children in Chains. New York: Everest House, 1981.

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A Message to Parents About: Child Sexual Abuse. Washington, DC: Child Sexual Abuse Victim Assistance Program, Children's Hospital Medical Center, 1979.

Muldoon, Linda, ed. Incest: Confronting the Silent Crime. Public Documents Division, 117 University Avenue, St. Paul, MN 55155, (612) 297-3000. (A manual for educators, law enforcement, medical, human services, and legal personnel)

"Protective Parenting: The Art of Teaching Children About Sexual Abuse." Public Documents Division, 117 University Avenue, St. Paul, MN 55155, (612) 297-3000. (Single copies free. Multiple copies are $7.50 for 25 copies. Please add 6% sales tax and $1.00 handling fee to your order. All orders must be prepaid)

"Resources for Change: A Guide to Materials and Organizations Promoting Equal Education for Both Sexes." PEER, 1112 13th Street NW, Washington, DC 20005. ($1.50 single copy)

Rush, Florence. The Best Kept Secret. New Jersey: Prentice-Hall, 1980.

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Sexual Abuse of Children: A Handbook for Parents. Milwaukee, WI: Sexual Assault Treatment Center, Family Hospital.

"Sexual Exploitation: What Parents of Handicapped Persons Should Know." Developmental Disabilities Project, Seattle Rape Relief, 1825 South Jackson, Suite 102, Seattle, WA 98144, (206) 632-7273.

Some Questions You May Ask About Going to Court and Some Answers That Will Help You (children ages 8 and up) and Kids Go to Court, Too (children under age 8). Sexual Assault Services, Office of the Hennepin County Attorney, C-2100 Government Center, Minneapolis, MN 55487, (612) 348-4053.

Sweet, Phyllis. Something Happened to Me. Racine, WI: Mother Courage Press, 1981.

Wehman, Barbara, and Lynese Gulczynski. Thumbody and the Touching Problem. Cooperative Educational Service Agency #4, Human Growth and Development Program, P.O. Box 728, Cumberland, WI 54829, 1983.

Williams, Joy. Annie (storybook). Rape and Abuse Crisis Center, P.O. Box 1655, Fargo, ND 58107, (701) 293-7273.

_____. Once I Was a Little Bit Frightened (storybook). Rape and Abuse Crisis Center, P.O. Box 1655, Fargo, ND 58107, (701) 293-7273.

_____. Red Flag, Green Flag People (educational coloring book). Rape and Abuse Crisis Center, P.O. Box 1655, Fargo, ND 58107, (701) 293-7273.

You Can Say Yes, You Can Say No (coloring book for children). Catholic Social Services, 207 East Michigan, Milwaukee, WI 53202.

APPENDIX H: FILMS AND FILMSTRIPS

"Acquaintance Rape Prevention Series." (multimedia package) MTI Teleprograms, 3710 Commercial Avenue, Northbrook, IL 60062. Rental-$125, purchase-$450. Distributed free to junior and senior high schools by Association Films.

"Better Safe Than Sorry II." Attention: James Canser, Filmfair Communications, 10900 Ventura Boulevard, Studio City, CA 91604. $290.

"Child Molestation: When to Say No." (16mm film, 13 minutes, color) AIMS Instructional Media Services, 626 Justin Avenue, Glendale, CA 91201. Rental-$25, purchase-$220.

"If I Tell You a Secret: Interviewing the Sexually Abused Child." Lawren Productions, P.O. Box 666, Mendocino, CA 95460.

"Incest: The Victim Nobody Believes." (16mm film, 20 minutes, color) MTI Teleprograms, 3710 Commercial Avenue, Northbrook, IL 60062. Rental-$50, purchase- $350.

"Sexual Assault: A Rural Reality." (slide tape program) Sexual Assault Program, Box 688, 522 Beltrami Avenue, Bemidji, MN 56601. Rental-$25.00, purchase-$100.

"Shatter the Silence." (16mm film, 29 minutes, color) Phoenix Films, 468 Park Avenue South, New York, NY 10016. Purchase-$425.

"Speak Up, Say No!" (6 minute filmstrip) Krause House, P.O. Box 880, Oregon City, OR 97045. Purchase-$50.

"A Time for Caring: The School's Response to the Sexually Abused Child." (16mm film, 28 minutes, color) Lawren Productions, P.O. Box 666, Mendocino, CA 95460. Rental-$50/week, purchase-$390.

APPENDIX I: SCHOOL DISTRICTS IN WISCONSIN WITH PREVENTION PROJECTS

1. Prevention of Child Molestation/Child Abuse Curriculum Guide
   School District of Port Washington
   Port Washington, WI 53074
   Contact Person: Gordon Fairbert, Curriculum Coordinator

2. Protective Behaviors: Anti-Victim Training for Children
   Madison Metropolitan School District
   545 West Dayton Street
   Madison, WI 53703
   Contact Person: Peg West, School Social Worker

3. Protective Behaviors Curriculum: Sexual Abuse-It Could Happen To Our Children, Too
   Cooperative Educational Service Agency #4
   Box 728
   Cumberland, WI 54829
   Contact Person: Barbara Wehman, Human Growth and Development Coordinator

4. Sexual Abuse Prevention Program
   School District of Hartford Joint #1
   600 Highland Avenue
   Hartford, WI 53027
   Contact Person: Janet Engelke, School Social Worker

5. Milwaukee Public Schools
   Critical Health Problems Curriculum Advisory Committee
   Subcommittee on Child Abuse and Sexual Assault
   Contact Persons: Colleen Landazuri, Co-chairperson
   Beverly Mantey-Van Cronkhite, Co-chairperson

6. CESA #12
   626 East Slifer Street
   P.O. Box 564
   Portage, WI 53901
   Contact Person: Joyce Unke, Human Growth and Development Coordinator

7. CESA #7
   801 Highway 10 West
   Stevens Point, WI 54481
   Contact Person: Lon Newman, Human Growth and Development Coordinator

8. K-12 Curriculum--Child Abuse
   Oregon Public Schools
   200 North Main
   Oregon, WI 53575
   Contact Person: Gwen Thompson, Teacher

9. CESA #2
   P.O. Box 168
   Minocqua, WI 54806
   Contact Person: Harriett Smith, Human Growth and Development Coordinator